

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD
1740 W. ADAMS ST., SUITE 4600, PHOENIX, ARIZONA 85007
PHONE (602) 364-1PET (1738) FAX (602) 364-1039
VETBOARD.AZ.GOV



COMPLAINT INVESTIGATION FORM

If there is an issue with more than one veterinarian please file a separate Complaint Investigation Form for each veterinarian

PLEASE PRINT OR TYPE

FOR OFFICE USE ONLY

Date Received: Dec. 30, 2021 Case Number: 22-68

A. THIS COMPLAINT IS FILED AGAINST THE FOLLOWING:

Name of Veterinarian/CVT: Blue Pearl
Premise Name: BluePearl Pet Hospital
Premise Address: 13034 W Rancho Santa Fe Blvd
City: Avondale State: Az Zip Code: 85392
Telephone: 6233854555

B. INFORMATION REGARDING THE INDIVIDUAL FILING COMPLAINT*:

Name: Lindsey Eakins
Address: [REDACTED]
City: [REDACTED] State: [REDACTED] Zip Code: [REDACTED]
Home Telephone: [REDACTED] Cell Telephone: [REDACTED]

*STATE LAW REQUIRES WE HAVE TO DISCLOSE YOUR NAME UNLESS WE CAN SHOW THAT DISCLOSURE WILL RESULT IN SUBSTANTIAL HARM TO YOU, SOMEONE ELSE OR THE PUBLIC PER A.R.S. § 41-1010. IF YOU HAVE REASON TO BELIEVE THAT SUBSTANTIAL HARM WILL RESULT IN DISCLOSURE OF YOUR NAME PLEASE PROVIDE COPIES OF RESTRAINING ORDERS OR OTHER DOCUMENTATION.

C. PATIENT INFORMATION (1):

Name: Chapo Finley

Breed/Species: Miniature Pinscher

Age: 4 months 3 weeks 3 Sex: Male Color: Red

PATIENT INFORMATION (2):

Name: _____

Breed/Species: _____

Age: _____ Sex: _____ Color: _____

D. VETERINARIANS WHO HAVE PROVIDED CARE TO THIS PET FOR THIS ISSUE:

Please provide the name, address and phone number for each veterinarian.

Dr Farris, 13034 W Rancho Santa Fe Blvd, Avondale, Az, 85392, 623-385-4555

E. WITNESS INFORMATION:

Please provide the name, address and phone number of each witness that has direct knowledge regarding this case.

Samantha Ott, _____

I don't know the names but there are 3 other employees that were there at the time and have direct knowledge of this case.

Attestation of Person Requesting Investigation

By signing this form, I declare that the information contained herein is true and accurate to the best of my knowledge. Further, I authorize the release of any and all medical records or information necessary to complete the investigation of this case.

Signature: _____

Date: _____

F. ALLEGATIONS and/or CONCERNS:

Please provide all information that you feel is relevant to the complaint. This portion must be either typewritten or clearly printed in ink.

I brought Chapo into BluePearl on December 13, 2021 at 1:43am due to vomiting. Chapo was taken back by a vet tech at 2:02am. I did not hear anything from anyone until approximately 3:00am, when they had me go to a back room and the vet (Dr. Farris) stated "Had I had known Chapo's temperature was so low, I would not have walked away." I asked her to explain what happened and she stated that the vet tech (I do not have a name for her) brought him back for "choking", Dr Farris cleared him for choking stating "He isn't choking, he is trying to vomit, please get his vitals". Dr Farris then walked away to speak with another family that was in the vet. The vet tech took his vitals and determined his temperature was 95.8 degrees F. He had a strong pulse and all other vitals were good at 2:08am. The vet tech then put him in a kennel and did not alert Dr Farris that his temperature was critically low or give him any treatment. Dr. Farris did not get back to him until approximately 2:30-2:45am and found Chapo unresponsive and deceased in the kennel.

She said she had spoke with the vet tech, who got an attitude about Chapo, about not alerting her of his critically low temperature. Dr. Farris stated I wouldn't be charged for the visit and that I did need to pay for his cremation however, I would be getting reimbursed for it. Dr Farris stated that her supervisor Samantha would be in contact with me regarding this incident. I emailed Samantha on 12/13/21 at 2:02pm because I had not been contacted. I didn't hear anything back so I contacted client relations for BluePearl on 12/14/21 at 8:00am. I still didn't hear anything and had called the vet office a couple times and Samantha wasn't available nor was Dr Farris. I sent a second email on 12/15/21 at 2:55pm to Samantha. I finally received a response on 12/15/21 at 3:35p, stating she was sorry that she was just getting back to me and that she contacted her Patient Safety Department and client relation department and that she had opened an investigation on the triage nurse as well as the ER SERVICE HEAD. I emailed her back asked what an ER service head was, stated I wanted to be kept up to date on the investigation and asked if anyone would be contacting me. She responded asking if I was available for a call on 12/17/21 between 8am and 11am. She called just after 8am on 12/17/21 and explained that the triage nurse (the vet tech) would be going to safety classes and that she would like to give her condolences and I declined because she was the only person in the facility to not give her condolences that night so I felt it was only for the purpose of being investigated. I told Samantha I would like Chapo's chart to be updated because it didn't match what happened that night. She stated she would leave a note for Dr Farris to add to his chart. As of today 12/23/21 we have had no other contact with Samantha or anyone from BluePearl other than me calling twice to ask if his chart was updated and it still is not.

BluePearl has neglected to give Chapo treatment or has neglected to keep me informed on this investigation. Dr Farris stated "they wouldn't have known the outcome had Chapo received treatment however he never received treatment so they never gave him a chance."

January 21st, 2022

BluePearl Specialty and Emergency Pet Hospitals
3110 E. Indian School Rd.
Phoenix, AZ 85016

Re: Case 22-68 "Chapo" Eakins

Tracy Riendeau
Investigative Division
Arizona State Veterinary Medical Examining Board
1740 W. Adams St, Suite 4600
Phoenix, AZ 85007

Dear Ms. Riendeau and Arizona Veterinary Medical Examining Board:

I am writing in response to Ms. Lindsey Eakins' complaint regarding her visit on 12/13/2021 at the BluePearl Avondale location. I previously worked at the BluePearl Avondale location and was the premise license holder there until November 2019 when I moved to the BluePearl East Indian School Road location in Phoenix. I became the premise holder there and when Dr. Marlayna Barnard took over as the ER Service Head at our Avondale location, she was to become the premise license holder for that location. Since November of 2019, I have been under the assumption that I was no longer the premise license holder for our Avondale location.

With regard to the events that are the subject of this complaint, I was not at the BluePearl Avondale location on 12/13/2021.

Please feel free to contact me if you have any further questions at [REDACTED]

Sincerely,

Dr. Aaron Franko, DVM
ER Service Head, Phoenix
BluePearl Specialty and Emergency Pet Hospitals

DOUGLAS A. DUCEY
- GOVERNOR -



VICTORIA WHITMORE
- EXECUTIVE DIRECTOR -

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INVESTIGATIVE DIVISION REPORT

TO: Arizona State Veterinary Medical Examining Board

FROM: Investigative Division

RE: Case: 22-68

Complainant(s): Lindsey Eakins

Respondent(s): Aaron Franko, DVM (License: 3878)

SUMMARY:

Complaint Received at Board Office: 12/30/21
Board Discussion: 3/16/22

APPLICABLE STATUTES AND RULES:

Laws as Amended August 2018
(Lime Green); Rules as Revised
September 2013 (Yellow).

On December 13, 2021, "Chapo," a 4-month-old male Miniature Pinscher was presented to BluePearl on emergency for vomiting, choking, lethargy, and anorexia. The dog was briefly evaluated by Dr. Farris who determined the dog was not choking, but attempting to vomit. She asked staff to get the dog's vitals, place the dog in isolation and obtain more history from the pet owner while she finished up with another client.

Staff obtained the dog's vitals; the dog was hypothermic at that time. When Dr. Farris went into the isolation room to assess the dog, she found him deceased in the kennel.

Complainant expressed concern that staff did not alert Dr. Farris that the dog's temperature was low or provide the dog treatment.

Respondent was the responsible veterinarian for the premises.

PROPOSED 'FINDINGS of FACT':

1. Respondent was the responsible veterinarian for the Avondale location at the time of the incident. Although he had changed locations in 2019 and an associate veterinarian was supposed to take over as responsible veterinarian, a new premises application was not submitted to the Board office. Thus, Respondent remained responsible veterinarian for the Avondale location unknowingly. Respondent did know about the event that took place until he received the complaint.
2. On December 13, 2021 (1:43am), the dog was presented to BluePearl on emergency for vomiting, choking, lethargy, and anorexia. According to the intake form, the dog began showing symptoms around 7:30pm, when the dog continued to worsen, she brought the dog in to be seen. Complainant also noted that the dog was given syrup for hypoglycemia.
3. Dr. Farris was alerted to assess the dog for choking. When she performed a brief exam, she noted that the dog was not choking but gagging/nauseous and trying to vomit. Dr. Farris also noted that the dog was depressed/dull, had pale/pink mucous membranes and was salivating excessively. She requested technical staff to obtain the dog's vitals, place him in isolation, and speak with the pet owner about the vaccine status and other history. Dr. Farris went into a room to speak with another pet owner.
4. The dog's vitals were: Weight = 1.6kg; temperature = 95.8 degrees; heart rate = 140bpm; and respiration rate 40rpm. Pulse quality was strong and mucous membranes were pale; CRT < 2 seconds; BP – 100.
5. After approximately 20 – 30 minutes, Dr. Farris went into the isolation ward to assess the dog. It was at that time that she found the dog deceased in the kennel. Dr. Farris spoke with Complainant.
6. Complainant was upset that the technical staff member did not alert Dr. Farris of the dog's low temperature or provide him with any treatment. She spoke with management about her concerns; she wanted the dog's medical record updated since she felt it did not have accurate events of what transpired that evening. Complainant was told that the technical staff member would be going to safety classes but never heard back about the dog's records being updated.

The information contained in this report was obtained from the case file, which includes the complaint, the respondent's response, any consulting veterinarian or witness input, and any other sources used to gather information for the investigation.

TR

Tracy A. Riendeau, CVT
Investigative Division